

**MINUTES OF THE
IMPROVEMENT & SERVICE COMMITTEE
Wednesday, February 25, 2015
ROOM 207, CITY HALL
6:30 p.m.**

MEMBERS: Brian Danzinger, Joe Moore, David Nennig, Jerry Wiezbiskie

1. Approval of the minutes from the regular meeting on February 11, 2015.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the minutes from the regular meeting on February 11, 2015. Motion carried.

2. Approval of the agenda.

To accommodate those in attendance, items number 3 and 7 were taken out of order, and then the Committee returned to the proposed agenda.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the agenda. Motion carried.

3. Request by Ald. Wery to amend Ordinance No. 9.02(7) to allow storage of garbage/recycling carts next to a house/garage, or in front of a garage without a fence or shrub screen.

Director Steven Grenier started off the discussion by reading all of section 9.02(7)(e)9, of the Municipal Code of Ordinances, which basically states where a garbage/recycling cart shall be stored during the period between collection days.

Director Grenier then read section 9.02(7)(e)10 that states no variances shall be granted without the prior approval of the Director of Public Works.

Director Grenier then read all of section 9.02(7)(e)11 that lays out criteria of how to deal with violations of the Solid Waste Collection Regulations and proper storage of garbage/recycling carts.

Director Grenier then stated that in his opinion right now, he is looking into these on a case by case basis and will allow the alderperson of that district to weigh in with their opinion being heavily weighted as to what course of action should be taken for the individual complaint, requested exemption and then the appropriate orders can be issued.

Ald. Chris Wery was present and stated that his intent for the request was to try and lessen the burden on Department of Public Works (DPW) staff and to allow a consistent amendment process no matter who is the Director of Public Works or the alderperson of the district. Ald. Wery was also curious as to where the screening language came from.

Chris Pirlot, Director of Operations, was present and stated that he was one of the primary authors of the current language which he took from the original ordinance language prior to going fully automated with garbage and recycling. Mr. Pirlot stated that he actually lessened the variance process and that the resulting variance is placed in the individual property file located in the Inspection Department so that once the variance is granted without just cause it is on file and will not be withdrawn.

Director Grenier wanted to clarify that this language is strictly within a DPW ordinance but can be enforced by Planning and Zoning Inspectors. Also, during the change to automation, the ordinance language and process was strongly scrutinized by the general public and other alderpersons.

Ald. Nennig wanted to know what DPW-Operations has been doing presently when they observe a cart being improperly stored.

Mr. Pirlot stated that as sanitation crews observe carts within a route as being improperly stored, they are putting notices on the carts as an educational process. Approximately, 3,000 notices had been placed and upon going back through the routes again, it appears that approximately 29% of the improperly placed carts have been relocated to a more appropriate location. Thus the educational effort has had a positive result.

Ald. Nennig stated that he had been told by some of the people he had talked with that if the residents did not comply that they would be fined up-wards of \$300.

Mr. Pirlot stated that he did not know where that may have come from.

Ald. Mark Steuer remarked that he too was in favor of a simplified variance process as he anticipates that there will be a lot of potential requests which could have a significant impact on DPW staff time, and now that there has been a lapse in time since the original roll out of the program we can now see things that weren't anticipated.

Ald. Wiezbiskie stated that when we rolled out the automated collection program, we knew there would be concerns and that we would deal with them as they came up, but he didn't know if we want to necessarily redo the ordinance which could open the door wider for other issues. Issues were anticipated during the roll out, but it was the intent to deal with them on a case by case basis and in his opinion the change to automation has been a good transition and would want to work with DPW staff to get over the bumps that we are experiencing in the program.

Ald. Moore stated that in his brief review of the ordinance language, section 9.02(7)(e)11a, which reads, "The Director of Public Works shall have the authority to order that any exterior storage of garbage, recyclables, or refuse be enclosed in a structure if, in his determination, the storage of such garbage, recyclables, or refuse is unsanitary or creates or tends to create a nuisance to public health or safety."

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie to open the floor for public input. Motion carried.

Thomas Deffke of 1736 Frank Street was present and wanted to share various photographs he had taken of all the carts improperly stored in his immediate neighborhood. He stated that these are small properties with single stall garages and that there is limited space to store two large carts. Mr. Deffke also stated that he was told by a Debbie on the phone that if he did not comply that he would be fined \$300.

Jeffery Bunker of 2673 West Point Road was present and understands that the roll out of the program is a process and that there may be bumps along the way. He is concerned that if the ordinance is not enforced that the carts being placed wherever they want to be can be an eye sore and wishes that the color would be more neutral rather than the green and yellow for garbage and blue for recycling. He thought the only choice he was allowed to make was the size of the carts. Mr. Bunker stated that he would not support an ordinance change but would like to see the issues dealt with on a case by case basis. Mr. Bunker noted that since the

distribution of the most recent blue handout, a lot of containers have magically been stored elsewhere and it's been less of an eye sore. He supports the educational process that we are currently going through. Mr. Bunker was hesitant to state this, but one of the larger offenders was Fire Station #4 which up until recently were storing their carts to be visible to the street.

Ald. Wiezbiskie stated that we have finally finished the delivery of all the carts and now we are going through the City again and re-educating the public and trying to enforce the policy.

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie to close the floor for public input. Motion carried.

Ald. Moore stated that he could possibly see the potential to make a few minor modifications in section 9.02(7)(e)9 and then adding some additional language into section 9.02(7)(e)11a.

Director Grenier stated that he has been utilizing two primary criteria in discussions with alderpersons.

1. The cart will not be on the street side of the house, and
2. Will be immediately adjacent to and touching the primary structure.

With regards to the color of the garbage cart, Director Grenier stated that he received over 400 e-mails and comments that the carts should be green and yellow. Once the carts were delivered, he has not received several more hundred criticizing that color selection. He was just going with the majority of the people at the time prior to ordering which was 400 to zero.

Ald. Nennig conveyed a lot of concerns.

- How things would be handled for small corner lots with two carts, and if there was a duplex on the property that it would then be four carts.
- How are town houses going to store the carts with the garages on rear of the property facing away from the street?
- Noted that the educational information is going to the tenants of the property and not necessarily reaching the owners of the rental properties.
- Noted that there could be a language barrier issue relative to the handout.
- Noted that he has been told that if the City is going to insist on the screening that a property owner stated that he would construct the ugliest thing he could find.
- Noted that other communities had listed in their ordinance that property owners should take pride in their neighborhoods and make room in their garages to store their bins,
- Inquired whether or not the Committee should ask Common Council to come up with a list of potential variance criteria that could then be implemented over the longevity of the ordinance.

Director Grenier pointed out that utilizing the carts is not the ideal communication medium, but understands that the type of information that is being distributed does not fit well on a post card, and if full page fliers are to be mailed out, the cost to do a single mailing exceeds \$18,000. Therefore, if that is the direction DPW staff is ordered to go expect to see an increase in future departmental budget.

Director Grenier suggested that this gets referred back to DPW staff so that we could reach out to the other alderpersons for feedback and input as to what concerns they may have regarding cart storage, the implementation and enforcement of the existing ordinance and any potential ordinance revisions they would like DPW staff to consider and bring those results back to the Committee at the first meeting in April. That gives DPW staff time to get feedback from the alderperson and the ability to summarize the data.

Ald. Nennig stated that he could support that recommendation by DPW staff. He also stated that he didn't think this was the most urgent of issues in the City at this time, but would like to get a resolution in somewhat of a timely fashion.

Ald. Wiezbiskie suggested that we not re-invent the wheel and suggested that we look at other communities not only here in the Green Bay area but across the state. Director Grenier stated that DPW staff would include that as part of the data gathering process.

Ald. Steuer inquired as to whether the mailings could be sent out utilizing the City's bulk rate. Director Grenier didn't think so due to the size and weight of the mailing.

Ald. Nennig would also ask whether DPW staff could provide examples of good and not so good screening of carts. Ald. Steuer added that was a good idea and whether those examples could be in both hard copy and possibly placed on the website.

With no further discussion Ald. Moore asked for a motion.

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie to refer to Department of Public Works staff the request by Ald. Wery to amend Ordinance No. 9.02(7) to allow storage of garbage/recycling carts next to a house/garage, or in front of a garage without a fence or shrub screen to solicit comment from the Alderpersons regarding potential changes to relevant sections of the Solid Waste Collection Regulations Ordinance, and bring back findings for the first meeting in April. Motion carried.

4. Request by Department of Public Works to award a sole source contract to Coenen Mechanical Contractors for the fabrication and installation of brush/log guards at the Quincy Street storm sewer lift station.

Director Grenier explained that the Quincy Street storm water lift (pump) station has now experienced two (2) incidents that have allowed a larger diameter piece of wood to be drawn up into one of the large impellers that pump storm water out of the storm sewer and into the Fox River just north of the Leo Frigo bridge. The pumps are 'capable' of handling upwards of a six-inch diameter piece of wood, but it is not recommended. In order to prevent these oversized chunks of wood from being drawn-up into the impellers, under emergency action DPW would like to sole source the manufacturing and installation of brush/log guards for the three pumps to Coenen Mechanical Contractors. One (1) of the three (3) pumps is out of service and is being evaluated at Rotating Equipment Repair, Inc in Waukesha, WI.

Wisconsin Public Service (WPS) has contracted out the clearing of woody vegetation beneath and around their powerlines in and around the I-43 corridor which has elevated the concern of additional debris getting into the large storm sewer system and causing additional damage to the remaining pumps.

The normal process DPW would utilize is to have these screens designed by our consultant, plans and specifications developed, and then bid out through the Purchasing Department. Coenen Mechanical has intimate knowledge of several of our sewer lift stations including the Quincy Storm Lift Station. They had prepared a design and estimate several years ago, but it never gained any traction for whatever reason. It is DPW staff's opinion that the amount of effort that the City would incur by utilizing the normal process would out way any potential cost savings, and as such recommend sole sourcing this work out to Coenen Mechanical as they've already completed a design, and can fabricate and install for an estimated cost of \$21,150.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by Department of Public Works to award a sole source contract to Coenen Mechanical Contractors for the fabrication and installation of brush/log guards at the Quincy Street storm sewer lift station in the amount of \$21,150. Motion carried.

5. Request by Department of Public Works to award a sole source contract to DLT Solutions for AutoCAD licensing using the government services pricing contract in the amount of \$10,146.92.

Director Grenier explained that AutoCAD is a proprietary software used for designing and drafting of Public Works projects. The City of Green Bay acquires both the software and the annual licensing through DLT Solutions, the government services contract vendor selected by Autodesk, the software manufacturer. The government services contract rate for annual licensing is set by the manufacturer, and is substantially less than the 'over the counter' rate paid by the general public. This expenditure was identified in the 2015 budget, which was approved by Common Council. Based upon the amount of the expenditure, this purchase must be approved individually by both the Improvement and Service Committee and Common Council. Being that this is an annual expenditure, the 'Annual Commodity Purchase' box has been checked so that it can be treated as an annual contract.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by Department of Public Works to award a sole source contract to DLT Solutions for AutoCAD licensing using the government services pricing contract in the amount of \$10,146.92. Motion carried.

6. Review and approval of Pedestrian Crosswalk Maintenance Agreements with Wisconsin Department of Transportation.

As part of the US Highway 41 corridor project, when the West Mason Street interchange was put together, the City requested that a sidewalk be constructed where signs of a worn down dirt pedestrian path was observed from the east side of US 41 to the west side of US 41. The City entered into an agreement with the Wisconsin Department of Transportation to maintain the sidewalks, however what was not discussed was the maintenance of the crosswalks. As such, the Wisconsin Department of Transportation is requesting that the City maintain the crosswalks associated with the sidewalks around the West Mason Street roundabouts.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the Pedestrian Crosswalk Maintenance Agreements with Wisconsin Department of Transportation and authorize the Director of Public Works to execute the agreements. Motion carried.

7. Report of the Purchasing Manager:

- A. Request approval to award the purchase of Streetlight Luminaires and Brackets from Neher Electric for \$16,428.

Director Grenier reviewed the Purchasing Manager's report stating that this request is for the purchase of Streetlight Luminaires and Brackets which are part of the City's annual streetlight repair and replacement contract. The quotes went out through our normal purchasing process and we received five (5) responses. Neher Electric out of Milwaukee is the low, responsive vendor in the amount of \$16,428 and recommend approval of the award.

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie approve the report of the Purchasing Manager:

- A. To award the purchase of Streetlight Luminaires and Brackets from Neher Electric for \$16,428.

Motion carried.

- 8. Request by Creative Sign (contractor) on behalf of Encompass Child Care, Inc (owner) to allow the existing awnings and lights and a new sign in the right-of-way adjacent to 345 N Broadway.

Director Grenier reviewed the request to allow the existing awnings and lights to remain and to allow a new flush mounted sign to be installed in the right-of-way adjacent to 345 N Broadway. Director Grenier recommended approval of the proposed request.

A motion was made by Ald. Nennig and seconded by Ald. Wiezbiskie to approve the request by Creative Sign (contractor) on behalf of Encompass Child Care, Inc (owner) to allow the existing awnings and lights and a new sign in the right-of-way adjacent to 345 N Broadway contingent upon executing a Hold Harmless Agreement, placing on file with the City applicable insurance, obtain all necessary City approvals, and authorize the Mayor and City Clerk to execute the agreement. Motion carried.

- 9. Request by Jeff Hunter (tenant) on behalf of Paul D Jacob (owner) to allow the existing awning and new sign in the right-of-way adjacent to 715 S Broadway.

Director Grenier reviewed the request to allow the existing awning and a new sign to be placed in the right-of-way adjacent to 715 S Broadway. Director Grenier noted that the existing awning is below the required height requirements, and that the proposed barrel shaped sign needs to be approved by the Board of Appeals. The recommendation is to approve the request contingent upon receiving all necessary approvals and when the condition of the existing awning is such that repairs are 50% or more of the value of the awning, it must be replaced and brought into strict compliance with the applicable ordinances at that time.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the request by Jeff Hunter (tenant) on behalf of Paul D Jacob (owner) to allow the existing awning and new sign in the right-of-way adjacent to 715 S Broadway contingent upon obtaining all necessary approvals, executing a Hold Harmless Agreement, placing on file with the City applicable insurance, obtain all necessary City approvals, and authorize the Mayor and City Clerk to execute the agreement, and at such time that fifty percent or more of the value of the existing awnings is necessary for maintenance and/or repair, the awning needs to be brought into strict compliance with the applicable ordinances at that time. Motion carried.

- 10. Approval of the following plat of right-of-way:

Sewer Easement from Franz Avenue to Baird's Creek

There is a storm sewer that was installed back by the Town of Preble that runs from Franz Avenue to Baird Creek. The existing storm sewer is in terrible condition and warrants replacement. From the limited Preble records that we have and the limited amount of field investigation that was able to be performed, it appears that the existing storm sewer is not completely within the existing easement and that there is no easement on record for the last 75 feet or so to the outfall that was located at Baird Creek. If we placed the new storm sewer back in the same location as the existing storm sewer, there would be potential building damage along with tree damage. The existing storm sewer has eroded out a small channel on the

south bank of Baird Creek where the new outlet of the storm sewer is proposed to go. The proposed construction method is directional drilling a polyethylene pipe from Franz Avenue to the outfall near Baird Creek which will limit the amount of disturbance for the impacted properties. The new storm sewer will deviate from the existing path and as such a new storm sewer easement is required.

Director Grenier's recommendation was that the following right-of-way plat be approved and referred to the Plan Commission for review and to the Law Department to file a Lis Pendens for the sewer easement from Franz Avenue to Baird Creek.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the following plat of right-of-way: "Sewer Easement from Franz Avenue to Baird's Creek", and have it referred to the Plan Commission for review and to the Law Department to file a Lis Pendens. Motion carried.

11. Applications for Concrete Sidewalk Builder's License by the following:

- A. IEI General Contractors, Inc.
- B. Ken's Concrete LLC.
- C. Louie's General Construction & Concrete

IEI General Contractors, Inc., and Ken's Concrete LLC have held licenses in the past. The background check on Louie's General Construction and Concrete came back acceptable and as such DPW staff recommends approval of these applications.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the applications for Concrete Sidewalk Builder's License by the following:

- A. IEI General Contractors, Inc.
- B. Ken's Concrete LLC.
- C. Louie's General Construction & Concrete

Motion carried.

12. Application for Tree & Brush Trimmer Licenses by the following:

- A. A to Z Tree Service LLC.
- B. Best Stump Grinding
- C. Carl's Tree Service
- D. S & D Tree Services LLC.

All applicants have held licenses in the past. DPW staff recommends approval of these applications.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to approve the application for Tree & Brush Trimmer Licenses by the following:

- A. A to Z Tree Service LLC.
- B. Best Stump Grinding
- C. Carl's Tree Service
- D. S & D Tree Services LLC.

Motion carried.

13. Director's Report on recent activities of the Public Works Department.

Director Grenier wanted to thank DPW staff for all their efforts in putting all the information together to help make these Committee meetings easier.

Director Grenier was pleased to announce that we have filled the open position of Assistant Director of Public Works. Jim Brunette, who has been working as the Inspection Services Specialist, will be seeing the view of downtown from three floors lower in the building. Jim's first day in DPW was February 16, 2015.

The sanitation section has now completed the rotation of notifying properties of non-compliant garbage/recycling cart storage. They issued approximately 3,200 notices.

The sewer section continues to do preventative maintenance on the sanitary sewer system, along with thawing out frozen culverts and storm sewers on an as needed basis.

Street section has completed 4 full plow operations along with 25 sand/salt spreading operations this season as compared to 8 full plow operations and 32 spreading operations last winter. So despite lesser amounts of precipitation, plow crews have been active this winter season.

The Engineering division is continuing to work on the development of the Capital Improvement Program and are preparing for several public hearings coming up in March. They are also continuing to interview candidates for the vacant positions within the department. It is also with great pleasure to state that Scott Hermesen joined our DPW staff as a Civil Engineer II in the Special Projects area. That is the first time in many years that this section has been fully staffed.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to receive and place on file the verbal Director's Report on the recent activities of the Public Works Department. Motion carried.

A motion was made by Ald. Wiezbiskie and seconded by Ald. Nennig to adjourn the meeting. Motion carried.

Meeting adjourned at 7:55 p.m.